

# **EXHIBIT "2"**

**NOTICE OF CONSENT TO REMOVAL**

**COMES NOW**, Walter Edward French, III, and hereby files this notice of consent to removal of this action from the Circuit Court of Russell County, Alabama, styled B. Gary Day, Plaintiff v. Walter Edward French, III; Christopher B. French; John Flory; and Jerome Short, Defendants, Civil Action No.: CV-06-59, to the United States District Court for the Middle District of Alabama, Eastern Division pursuant to §§1332, 1441 and 1446. By filing this consent to notice of removal and removal Defendant, Walter E. French, hereby reserves all rights and defenses he has with respect to the complaint and the sufficiency of process and service of process.

  
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WALTER E. FRENCH, III